

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

ARAFAT AHMED #A220-483-420

CASE NO. 1:24-CV-00739 SEC P

VERSUS

JUDGE EDWARDS

WARDEN

MAGISTRATE JUDGE PEREZ-MONTES

MEMORANDUM RULING

Pending before the Court are Petitioner's Petition for Writ of Habeas Corpus under § 2241 (R. Docs. 1, 7, 10), Motion to Appoint Counsel (R. Docs. 2, 12), and Motion for Leave to Proceed in Forma Pauperis (R. Doc. 11). The Magistrate Judge has recommended that the Petition for Writ of Habeas Corpus be denied (R. Doc. 13). The Petitioner responded to the Magistrate Judge's recommendation stating, "I have no objection to the R&R." (R. Doc. 16). However, Petitioner re-urged his request for the appointment of counsel and to be granted permission to proceed *in forma pauperis*. *Id.*

While it is within the Court's discretion to appoint counsel in a civil case, the appointment of counsel "is a privilege and not a constitutional right, allowed only in exceptional cases." *Romero v. Barr*, No. 6:20-CV-00789, 2020 WL 3928269, *1 (W.D. La. July 10, 2020). Petitioner requests counsel "to assist my Petition challenging my detention" and to help "understand the issues in this case." (R. Docs. 2, 16). He asserts that he has "very limited knowledge of English and has no knowledge of the American legal system." (R. Doc. 12).

The Court does not find that exceptional circumstances exist to warrant the appointment of counsel. Contrary to Petitioner's assertion, his filings demonstrate that he is proficient with the English language. Further, the issues presented by the Petitioner are not unique from similarly

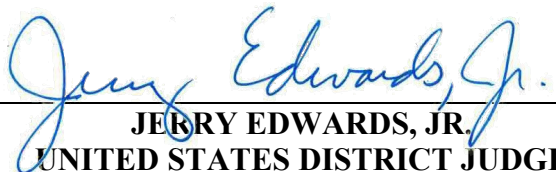
situated persons who represent themselves, and there is no need for an evidentiary hearing that could potentially require the assistance of counsel.

The Court will adopt as its ruling the reasons given by the Magistrate Judge, denying Petitioner's request for release and his request to enjoin Immigration and Customs Enforcement ("ICE") from transferring him out of the jurisdiction of the ICE New Orleans Field Office.

Lastly, because the Court has found that the relief requested by Petitioner is not appropriate under applicable law, the request to proceed *in forma pauperis* will be denied as moot. Accordingly,

Petitioner's Petition for Writ of Habeas Corpus under § 2241 (R. Docs. 1, 7, 10) and Motion to Appoint Counsel (R. Docs. 2, 12) are hereby **DENIED**, and Petitioner's Motion for Leave to Proceed in Forma Pauperis (R. Doc. 11) is hereby **DENIED AS MOOT**. A separate judgment consistent with this ruling shall be issued accordingly.

THUS DONE AND SIGNED in Chambers on this 2nd day of August 2024.


JERRY EDWARDS, JR.
UNITED STATES DISTRICT JUDGE